

FILED

JUN 05 2014

N.J. BOARD OF NURSING

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY STATE  
BOARD OF NURSING

IN THE MATTER OF THE  
LICENSE OF

KATHRYN M. KING-DYKER, R.N.  
License # 26NO06682800

TO PRACTICE NURSING IN THE  
STATE OF NEW JERSEY

Administrative Action

FINAL ORDER  
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about August 29, 2013, a letter of inquiry was sent to respondent's address of record with the Board, asking respondent to supply information concerning an arrest on August 16, 2012<sup>1</sup> on charges of simple assault, and to supply documentation of continuing education completed in the past three years.
3. The receipt for the certified mailing of the letter was signed upon delivery. The regular mailing was not returned. No response was received.

<sup>1</sup> The letter incorrectly stated the date of the arrest as 8/16/12. The arrest occurred on 8/16/13.

Respondent's failure to respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2 and 1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension and a civil penalty was entered on March 10, 2014. Copies were served upon respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent responded to the Provisional Order of Discipline by providing the information requested in the Board's original letter of inquiry.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent provided the information originally requested, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply months later, warrants imposition of a five hundred dollar (\$500) civil penalty.

ACCORDINGLY, IT IS on this 9<sup>th</sup> day of June, 2014.

ORDERED that:

1. A five hundred dollar (\$500) civil penalty is hereby imposed for the violation of N.J.A.C. 13:45C-1.2 and 1.3. Payment shall be made by certified check or money order payable to "State of New Jersey," delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the date of filing of this Final Order of Discipline. In the event respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Ann Murphy, PhD, APN  
Patricia Ann Murphy, PhD, APN  
Board President